

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

ZORRI N. RUSH

PLAINTIFF

V.

CIVIL ACTION NO: 1:18-CV-172-SA-RP

NANCY BERRYHILL,
COMMISSIONER OF SOCIAL SECURITY

DEFENDANT

ORDER GRANTING MOTION TO REMAND

Plaintiff Zorri N. Rush filed this suit seeking judicial review of an unfavorable decision of the Commissioner of Social Security denying his claim for disability insurance benefits and supplemental security income benefits. The Commissioner moved to remand under sentence four of § 205(g) of the Social Security Act, 42 U.S.C. § 405(g), stating that the certified administrative record cannot be reconstructed within the time constraints of this civil action. *See* Motion [70]. The Plaintiff has also filed a Memorandum in Support [72] of the Defendant's Motion.

The Commissioner's Motion to Remand [70] acknowledges that this case should be remanded for an ALJ to reconstruct the administrative record, hold a hearing, and issue a new decision. After reviewing the motion and record, the Court concludes that this unopposed request for remand is warranted. The Commissioner's Motion to Remand is therefore GRANTED and this CASE is CLOSED. The Clerk of Court is directed to take all steps necessary to perfect the remand of this case.

It is SO ORDERED, this the 25th day of October, 2019.

/s/ Sharion Aycock

UNITED STATES DISTRICT JUDGE